

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTSFILED
IN CLERKS OFFICE

2004 JUN 30 A 11:19

CHARLES LANGONE, AS FUND MANAGER)	U.S. DISTRICT COURT DISTRICT OF MASS.
OF THE NEW ENGLAND TEAMSTERS AND)	
TRUCKING INDUSTRY PENSION FUND)	
)	
VS.)	C.A. NO. 04-11125 NG
STAMPRETE OF RHODE ISLAND, STAMP)	
CRETE OF RHODE ISLAND, INC. AND)	
<u>STAMPED CONCRETE, INC.</u>)	

ANSWER OF DEFENDANTS,
STAMPRETE OF RHODE ISLAND, STAMP CRETE OF RHODE ISLAND, INC.
and STAMPED CONCRETE, INC.

The defendants for answer to plaintiff's complaint hereby state as follows:

FIRST DEFENSE
Parties & Jurisdiction

1. Defendants deny the allegations contained in paragraphs 1, 2, 3, 4 & 6.
2. Defendants admit the allegations contained in paragraph 5.
3. Defendants neither admit nor deny the allegations contained in paragraph 7.

COUNT I

4. Defendants deny the allegations contained in paragraphs 8, 9 & 10.

COUNT II

5. Defendants hereby incorporate by reference their answer to paragraphs 1-10.
6. Defendants neither admit nor deny the allegations contained in paragraph 12.
7. Defendants deny the allegations contained in paragraphs 13 & 14.

COUNT III

8. Defendants hereby incorporate by reference their answer to paragraphs 1-14.
9. Defendants deny the allegations contained in paragraph 16, 17, 18 & 19.

COUNT IV

10. Defendants hereby incorporate by reference their answer to paragraphs 1-19.
11. Defendants deny the allegations contained in paragraphs 21 & 22.

COUNT V

12. Defendants hereby incorporate by reference their answer to paragraphs 1-22.
13. Defendants deny the allegations contained in paragraphs 24, 25, 26 & 27.

COUNT VI

14. Defendants hereby incorporate by reference their answer to paragraphs 1-27.
15. Defendants deny the allegations contained in paragraphs 29 & 30.

SECOND DEFENSE

The defendant Stamprete of Rhode Island is not a legal entity.

THIRD DEFENSE

The defendant Stamp Crete of Rhode Island Inc. is in receivership proceedings in the Rhode Island Superior Court and, therefore, plaintiff's action is barred.

FOURTH DEFENSE

This court lacks jurisdiction over the defendants.

FIFTH DEFENSE

Venue is improper.

SIXTH DEFENSE

The defendant Stamped Concrete Inc. is not a signatory to any agreement involving the plaintiff, is not a successor to any such signatory, is not liable for any such signatory, and, therefore is not liable to the plaintiff.

SEVENTH DEFENSE

Defendants assert the defenses of insufficiency of process, insufficiency of service of process, and lack of service of process.

WHEREFORE, Defendants demand that judgment entered against the Plaintiff dismissing the complaint and ordering such other relief as this court may deem proper and just.

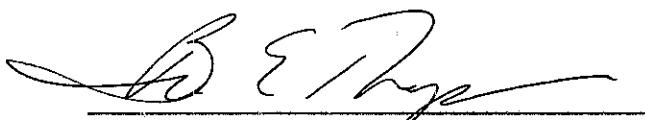
STAMPRETE OF RHODE ISLAND,
STAMP CRETE OF RHODE ISLAND, INC.,
and STAMPED CONCRETE, INC.
By Their Attorney,



Bruce E. Thompson, Esquire
Casey and Thompson, P.C.
8 North Main Street
Attleboro, MA 02703
(508) 222-2332
BBO #496580

CERTIFICATE OF SERVICE

I, Bruce E. Thompson, hereby certify under the penalties of perjury that I have served the Defendants' Answer to Complaint of Plaintiff, Charles Langone, as Fund Manager of the New England Teamsters and Trucking Industry Pension Fund, upon Plaintiff's Attorney, Catherine Campbell, Esquire, of Feinberg, Campbell & Zack, P.C. of 177 Milk Street, Boston, MA 02109, by mailing same via first class mail this 28th day of June, 2004.



B E Thompson

Bruce E. Thompson, Esquire